

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HOLMES GROUP, INC.,

Plaintiff,

V.

WEST BEND HOUSEWARES, LLC and
FOCUS PRODUCTS GROUP, L.L.C.,

Defendants.

Civil Action No. 1: 05-CV-11367 (REK)

MOTION FOR ADMISSION *PRO HAC VICE*

Pursuant to Local Rule 83.5.3 of the District of Massachusetts, Plaintiff, THE HOLMES GROUP, INC. (hereinafter "HOLMES") by and through undersigned counsel, hereby applies to this Court for an Order in the form attached as Exhibit "A" permitting Charles R. Hoffmann, Esq. and Glenn T. Henneberger, Esq. of the law firm of Hoffmann & Baron, LLP of Syosset, New York, to appear as attorneys in the above-captioned action for the limited purpose of representing HOLMES in this one action.

The grounds for this Application are that:

1. HOLMES has appeared in this action through Nicholas J. Nesgos, Esq., of the law firm of Posternak Blankstein & Lund LLP, of Boston, Massachusetts who hereby consents to the designation of local counsel and whose address and telephone number are set forth below. Mr. Nesgos maintains an office for the practice of law in the District of Massachusetts and is a

member of the bar of the District of Massachusetts.

2. As explained in the attached Affidavits and Certificates of Good Standing (Composite Exhibit "B") of Charles R. Hoffmann and Glenn T. Henneberger, Messrs. Hoffmann and Henneberger:

a. Messrs. Hoffmann and Henneberger are residents in the office of Hoffmann & Baron LLP, located at 6900 Jericho Turnpike, Suite 200, Syosset, New York 11791-4407, with a telephone number of (516) 822-3550 and a facsimile number of (516) 822-3582;

b. Mr. Hoffmann is a member in good standing of the State Bar of New York and is licensed to practice law in the Federal District Courts for the Southern and Eastern Districts of New York; the Court of Appeals, Second Circuit; the Court of Appeals for the Federal Circuit and the U.S. Supreme Court.

c. Mr. Henneberger is a member in good standing of the State Bar of New York and Connecticut and is licensed to practice law in the Federal District Courts for the Southern and Eastern Districts of New York; the Court of Appeals for the Federal Circuit and the U.S. Supreme Court.

d. Have not been subject to any disciplinary actions in any of the jurisdictions described above within the last (5) years.

e. Have not been denied admission to the court of any state or to any federal court within the last five (5) years.

f. Have familiarized themselves with and agree to abide by the Local Rules of the District of Massachusetts.

WHEREFORE, Plaintiff, HOLMES respectfully requests that this Court enter an Order permitting Charles R. Hoffmann and Glenn T. Henneberger to appear as attorneys in the above-captioned action for the limited purpose of representing Plaintiff in this one action.

Respectfully submitted,

THE HOLMES GROUP, INC.

Dated: 8/9/05



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Syosset, New York 11791-4407

Telephone: (516-822-3550)

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EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HOLMES GROUP, INC.,	:	
	:	
	:	
Plaintiff,	:	Civil Action No. 1: 05-CV-11367 (REK)
v.	:	
	:	
WEST BEND HOUSEWARES, LLC and	:	
FOCUS PRODUCTS GROUP, L.L.C.,	:	
	:	
Defendants.	:	

ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE*

THIS CAUSE came on to be heard on the applications of Charles R. Hoffmann, Esq. and Glenn T. Henneberger, Esq., counsel for Plaintiff, The Holmes Group, Inc., for permission to appear and participate *pro hac vice* in the above-captioned case and the Court being fully advised in the premises, it is

ORDERED that the Motion to Appear *Pro Hac Vice* is granted.

DONE and ORDERED in Chambers at Massachusetts, this ____ day of

_____, 2005.

U. S. DISTRICT JUDGE
DISTRICT OF MASSACHUSETTS

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HOLMES GROUP, INC.,	:	
	:	
	:	
Plaintiff,	:	Civil Action No. 1: 05-CV-11367 (REK)
v.	:	
	:	
WEST BEND HOUSEWARES, LLC and	:	
FOCUS PRODUCTS GROUP, L.L.C.,	:	
	:	
Defendants.	:	

AFFIDAVIT OF CHARLES R. HOFFMANN

STATE OF NEW YORK:

COUNTY OF NASSAU:

I, Charles R. Hoffmann, do hereby depose and state as follows:

1. I submit this Affidavit in support of my application under Local Rule 83.5.3 of the Local Rules of the District of Massachusetts for an order permitting me to appear in this action as counsel *pro hac vice* for Plaintiff, The Holmes Group, Inc.

2. Each of the facts stated herein is based on my personal knowledge and, if called and sworn as a witness, I could and would competently testify thereto.

3. I am a partner with the law firm of Hoffmann & Baron, LLP. My office address is 6900 Jericho Turnpike, Syosset, New York 11791-4407; telephone: (516) 822-3550; facsimile: (516) 822-3582; e-mail: CRHDocket@HoffmannBaron.com. My residence address is 5 Wood Court, Bayville, New York 11709.

4. I was admitted to the New York State Bar in 1966. I have also been admitted to practice law before the following courts on the following dates: (1) The Federal District Courts for the Southern and Eastern Districts of New York, 1968; (2) U.S. Court of Appeals, Second Circuit, 1975; (3) The Court of Appeals for the Federal Circuit, 1982; and (4) U.S. Supreme Court, 1996.

5. I am a member in good standing of the State Bar of New York and in all courts in which I am admitted to practice. I have not been suspended or disbarred in any court or jurisdiction.

6. I certify that I have studied the Local Rules of the District of Massachusetts.

7. The local counsel of record for Plaintiff, The Holmes Group, Inc., with whom I seek to associate is Nicholas J. Nesgos, Esq., Posternak Blankstein & Lund LLP, Prudential Tower, 800 Boylston Street, Boston, Massachusetts 02199-8004, telephone: 617-973-6100, facsimile: 617-367-2315.

Further Affiant Sayeth Not.



Charles R. Hoffmann

STATE OF NEW YORK:

ss

COUNTY OF NASSAU:

Sworn to before me and subscribed in my presence this the 8 day of August, 2005.



R. GLENN SCHROEDER
Notary Public, State of New York
No. 5000259
Qualified in Suffolk County
Commission Expires August 10, 2006

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

EASTERN DISTRICT OF NEW YORK } ss.

**I Robert C. Heinemann, Clerk of the UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF NEW YORK**

do hereby certify that CHARLES R. HOFFMANN was duly admitted to practice in said
Court on September 12, 1968 is in good standing as a member of the bar of said Court.

Date: August 8, 2005
Central Islip, N.Y.

Robert C. Heinemann
CLERK OF THE COURT

BY: Liliana Serret
Liliana Serret
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HOLMES GROUP, INC.,	:	
	:	
	:	
Plaintiff,	:	Civil Action No. 1: 05-CV-11367 (REK)
v.	:	
	:	
WEST BEND HOUSEWARES, LLC and	:	
FOCUS PRODUCTS GROUP, L.L.C.,	:	
	:	
Defendants.	:	

AFFIDAVIT OF GLENN T. HENNEBERGER

STATE OF NEW YORK:

COUNTY OF NASSAU:

I, Glenn T. Henneberger, do hereby depose and state as follows:

1. I submit this Affidavit in support of my application under Local Rule 83.5.3 of the Local Rules of the District of Massachusetts for an order permitting me to appear in this action as counsel *pro hac vice* for Plaintiff, The Holmes Group, Inc.

2. Each of the facts stated herein is based on my personal knowledge and, if called and sworn as a witness, I could and would competently testify thereto.

3. I am a partner with the law firm of Hoffmann & Baron, LLP. My office address is 6900 Jericho Turnpike, Syosset, New York 11791-4407; telephone: (516) 822-3550; facsimile: (516) 822-3582; e-mail: GTHDocket@HoffmannBaron.com. My residence address is 31 Kingsbury Road, Garden City, New York 11530.


4. I was admitted to the Connecticut State Bar in 1991 and the New York State Bar in 1992. I have also been admitted to practice law before the following courts on the following dates: (1) The Federal District Courts for the Southern and Eastern Districts of New York, 1995; (2) The Court of Appeals for the Federal Circuit, 1995; and (4) U.S. Supreme Court, 1996.

5. I am a member in good standing of the State Bar of New York and in all courts in which I am admitted to practice. I have not been suspended or disbarred in any court or jurisdiction.

6. I certify that I have studied the Local Rules of the District of Massachusetts.

7. The local counsel of record for Plaintiff, The Holmes Group, Inc., with whom I seek to associate is Nicholas J. Nesgos, Esq., Posternak Blankstein & Lund LLP, Prudential Tower, 800 Boylston Street, Boston, Massachusetts 02199-8004, telephone: 617-973-6100, facsimile: 617-367-2315.

Further Affiant Sayeth Not.



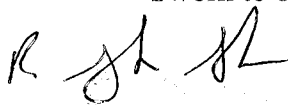
Glenn T. Henneberger

STATE OF NEW YORK:

ss

COUNTY OF NASSAU:

Sworn to before me and subscribed in my presence this the 8 day of August, 2005.


R. GLENN SCHROEDER
Notary Public, State of New York
No. 5000259
Qualified in Suffolk County
Commission Expires August 10, 2006

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

EASTERN DISTRICT OF NEW YORK } ss.

**I Robert C. Heinemann, Clerk of the UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF NEW YORK**

do hereby certify that GLENN T. HENNEGERGER was duly admitted to practice in said
Court on February 1, 1995 is in good standing as a member of the bar of said Court.

Date: August 8, 2005
Central Islip, N.Y.

Robert C. Heinemann
CLERK OF THE COURT

BY: 
Liliana Serret
Deputy Clerk